

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419

Master Dkt. No. 1:13-md-2419-FDS

This Document Relates To:
All Cases

**STIPULATION AND [PROPOSED] ORDER GRANTING EXTENSION OF TIME FOR
DEFENDANT UNIFIRST CORPORATION TO RESPOND TO THE MASTER
COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs, by and through the undersigned representatives of the Plaintiffs' Steering Committee, and Defendant UniFirst Corporation ("UniFirst"), by and through its undersigned counsel, as follows:

1. WHEREAS UniFirst has been named as a defendant in short form complaints filed in more than 250 cases currently pending in this MDL, filed by plaintiffs residing in at least seventeen different states, and also has been named as a defendant in the Master Complaint;

2. WHEREAS UniFirst agreed to accept executed requests for waivers of personal service of the short form complaints that were mailed to UniFirst's counsel in accordance with a stipulation filed in this case on December 13, 2013;

3. WHEREAS under Rule 4 of the Federal Rules of Civil Procedure, UniFirst is not required to respond to such short form complaints until 60 days after the mailing of each request for waiver of service;

4. WHEREAS UniFirst received its first request for waiver of service of any short form complaint filed against it in this action on December 18, 2013 and, thus, under the Federal Rules of Civil Procedure, could not be required to answer, move to dismiss or otherwise respond to any of the short form complaints against it until Monday, February 17, 2013, at the earliest;

5. WHEREAS UniFirst still has not been served with or received requests for waiver of service for over 110 short form complaints filed in this MDL that raise claims against UniFirst;

6. WHEREAS the parties desire to establish a reasonable deadline by which UniFirst shall answer, move to dismiss, or otherwise respond to the allegations raised in the Master Complaint;

7. WHEREAS the Court already has extended the deadline for certain Unaffiliated Defendants to answer, move to dismiss or otherwise respond to allegations in the Master Complaint until April 10, 2014;

8. WHEREAS the other Unaffiliated Defendants were named as defendants in cases pending in this MDL long before UniFirst was so named;

IT IS HEREBY STIPULATED AND AGREED, subject to approval and order of this Court, that UniFirst shall have until April 1, 2014 to answer, move to dismiss or otherwise file pleadings responsive to the allegations raised in the Master Complaint, provided that nothing in this stipulation precludes UniFirst from filing a subsequent motion to dismiss in any individual case pending in this MDL, at an appropriate time, on grounds that are specific either to the individual plaintiff(s) in that case or to the law governing that case.¹

¹ Should the Court postpone the deadline for other Unaffiliated Defendants to file responsive pleadings until after April 1, 2014, then UniFirst reserves the right to seek a similar extension of its own time to respond to the Master Complaint.

/s/ James C. Rehnquist

James C. Rehnquist (BBO #552602)
Roberto M. Braceras (BBO # 566816)
Abigail K. Hemani (BBO # 650721)
Damian W. Wilmot (BBO # 648693)
Josh L. Launer (BBO # 673661)

GOODWIN PROCTER LLP

Exchange Place
53 State Street
Boston, Massachusetts 02109-2881
Telephone: 617.570.1000
Facsimile: 617.523.1231
jrehnquist@goodwinprocter.com
rbraceras@goodwinprocter.com
ahemani@goodwinprocter.com
dwilmot@goodwinprocter.com
jlauner@goodwinprocter.com

Date: February 4, 2014

Attorneys for Defendant UniFirst Corporation

/s/ Mark Zamora

Mark Zamora, Esquire
ZAMORA FIRM
6 Concourse Way, 22nd Floor
Atlanta, GA 30328
Telephone: (404) 451-7781
Facsimile: (404) 506-9223
marc@markzamora.com

Plaintiffs' Steering Committee

Thomas M. Sobol, Esquire
Kristen Johnson Parker, Esquire
HAGENS BERMAN SOBOL SHAPIRO LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003
tom@hbsslaw.com
kristenjp@hbsslaw.com

Plaintiffs' Lead Counsel

Elizabeth J. Cabraser, Esquire
Mark P. Chalos, Esquire
Annika K. Martin, Esquire
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
150 Fourth Avenue North, Suite 1650
Nashville, TN 37219-2417
Telephone: (615) 313-9000
Facsimile: (615) 313-9965
ecabraser@lchb.com
mchalos@lchb.com
akmartin@lchb.com

	<p>Federal/State Liaison Kim Dougherty, Esquire JANET, JENNER & SUGGS, LLC 31 St. James Avenue, Suite 365 Boston, MA 02116 Telephone: (617) 933-1265 kdougherty@myadvocates.com</p> <p>Patrick T. Fennell, Esquire CRANDALL & KATT 366 Elm Avenue, S.W. Roanoke, VA 24016 Telephone: (540) 342-2000 pfennel@crandalllaw.com</p> <p>Marc E. Lipton, Esquire LIPTON LAW 18930 W. 10 Mile Road Southfield, MI 48075 Telephone: (248) 557-1688 Facsimile: (248) 557-6344 marc@liptonlawcenter.com</p> <p>J. Gerard Stranch, IV, Esquire Benjamin A. Gastel, Esquire BRANSETTER, STRANCH & JENNINGS PLLC 227 Second Avenue North Nashville, TN 37201 Telephone: (615) 254-8801 Facsimile: (615) 255-5419 gerards@branstetterlaw.com beng@branstetterlaw.com</p> <p>Plaintiffs' Steering Committee</p> <p>Date: <u>February 4, 2014</u></p> <p><u>Attorneys for Plaintiffs</u></p>
--	---

SO ORDERED:

Hon. F. Dennis Saylor IV,
United States District Court Judge

Date

CERTIFICATE OF SERVICE

I, James C. Rehnquist, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF) will be sent to these parties by operation of the CM/ECF system on February 4, 2014.

/s/ James C. Rehnquist